

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

2008 APR 15 PM 1:20

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LUIS ROSALES, 91A3067,

Plaintiff,

-v-

DECISION AND ORDER
08-CV-6113L(Fe)

PAUL H. KIKENDALL, Assistant Commissioner;
DONALD SELSKY, Director Special Housing;
RYAN ENGLISH, Inmate Grievance Coordinator;
ROBERT A. KIRKPATRICK, Superintendent
M. KEARNEY, Captain; KNEENAN, Lieutenant;
KEN KIELISZEK, Inmate Grievance Supervisor;
L. HIGLEY, Inmate Grievance Sergeant;
Sergeant ANDRUSZ; BENSON, Correctional Officer;
STREIT, Correctional Officer and
J. KENNEDY, Commissioner Hearing Officer;

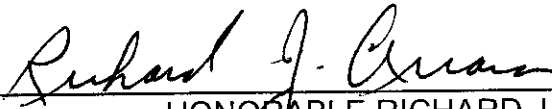
Defendants.

Plaintiff, *pro se*, Luis Rosales was granted permission to proceed *in forma pauperis*, and the U. S. Marshal Service has been ordered to serve his complaint. Before service of his complaint, and answer, plaintiff has requested permission to amend his complaint to add the name of a defendant he failed to list in the caption. Because the complaint has not yet been answered, plaintiff may amend his complaint as a matter of right. Federal Rule of Civil Procedure 15.

However, in the interests of speed, the Court deems his complaint to be amended to include the naming, in the caption and defendants section, an additional defendant, Lieutenant Kneenan, as to whom plaintiff has alleged facts

in the body of the complaint. The Clerk of the Court is directed to ensure that the U. S. Marshal serve the Complaint, as amended by this Order, and a copy of this Order.

IT IS SO ORDERED.

A handwritten signature in cursive script, reading "Richard J. Arcara", is written over a horizontal line.

HONORABLE RICHARD J. ARCARA
CHIEF JUDGE
UNITED STATES DISTRICT COURT

Dated:

April 14, 2008